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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
GOLD, AVI M

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 March 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-39* is/are pending in the application.

   4a) Of the above claim(s) *1, 3-4, 6-7, 9, 11-18, 26-29, 31-32, and 35* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-39* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

The amendment received on March 4, 2005 has been entered and fully

considered.

Claims 1, 3-4, 6-7, 9, 11-18, 26-29, 31-32, and 35 were cancelled.

Claims 2, 5, 8, 30, and 33 were amended.

Claims 36-39 were newly added.

Claim 2, 5, 8, 10, 19-25, 30, 33, 34, and 36-39 are currently pending.

Response to Amendment

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 2, 8, 10, 19-21, 23, 25, and 36 are rejected under 35 U.S.C. 103(a) as

being unpatentable over D'Arlach et al., U.S. Patent No. 6,026,433 further in view of

Kobayakawa et al., U.S. Patent No. 6,119,078.

D'Arlach teaches the invention substantially as claimed including creating and

maintaining a Web site in client-server network environments (see abstract).

As to claim 8, D'Arlach teaches a method for automatically generating a web document in real time comprising:

providing at least one prearranged web document wherein said at least one prearranged web document is capable of being displayed on a computer using a web browser (col. 5, lines 14-21, D'Arlach discloses an existing template that can be displayed by a browser in a client computer);

providing a database with preprogrammed information (col. 5, lines 1-3, D'Arlach discloses a template database);

providing a form document (col. 6, lines 25-29, D'Arlach discloses an editing form);

selecting user variables wherein said user variables are selected from said preprogrammed information using said form document (col. 6, lines 25-29, D'Arlach discloses a user selecting attributes from the form); and

automatically generating a user web document adapted for display on said computer, wherein said user web document is generated based on said desired user variables, said user web document being electronically linked to said prearranged web document (col. 6, lines 40-44, D'Arlach discloses in response to user choices a customized Web page being displayed).

D'Arlach fails to teach the limitation further including user variables in a first language, said user web document generated in a second language, and wherein said first and second languages are spoken languages..

However, Kobayakawa teaches data processing systems, methods and computer program products for translating documents written in foreign languages (see abstract). Kobayakawa teaches the use of a user choosing a translation environment and foreign and native languages for translation (col. 6, lines 35-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to use user variables in a first language, have the user web document generated in a second language, and use spoken languages. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

Regarding claim 2, D'Arlach and Kobayakawa teach the method of claim 8, wherein said at least one prearranged web document comprises a prearranged set of web documents (col. 5, lines 26-29, D'Arlach discloses a user choosing from different templates).

As to claim 10, D'Arlach and Kobayakawa teach the method of claim 8, further comprising automatically determining said second language from said computer or said web browser (col. 9, lines 1-6, Kobayakawa discloses the use of translating foreign language into native language; the native language being the language used by the computer).

As to claim 19, D'Arlach teaches a method for dynamically generating a web document in a second language comprising:

providing a database with preprogrammed information (col. 5, lines 1-3);

selecting desired user variables wherein said desired user variables are selected from said preprogrammed information (col. 6, lines 25-29); and

automatically generating a user web document, wherein said user web document is generated based on said desired user variables (col. 6, lines 40-44)

D'Arlach fails to teach the limitation further including user variables in a first language and said user web document is generated in a second language.

However, Kobayakawa teaches the use of a user choosing a translation environment and foreign and native languages for translation (col. 6, lines 35-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to use user variables in a first language and have the user web document generated in a second language. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

As to claims 20 and 25, D'Arlach and Kobayakawa teach the method of claim 19.

D'Arlach fails to teach the limitation further including automatic determination of said second language from said computer or said web browser.

However, Kobayakawa teaches the use of translating foreign language into native language; the native language being the language used by the computer (col. 9, lines 1-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to automatically determine said second language from said computer or said web browser. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

As to claim 21, D'Arlach and Kobayakawa teach the method of claim 19.

D'Arlach fails to teach the limitation further including the first and second languages are spoken languages.

However, Kobayakawa teaches the use of foreign and native languages for translation (col. 6, lines 35-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to use spoken languages. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

Regarding claim 23, D'Arlach and Kobayakawa he method of claim 19, further comprising selecting said desired user variables using a form document (col. 6, lines 25-29, D'Arlach).

As to claim 36, D'Arlach teaches a computer program product, tangibly stored on a computer-readable medium, for dynamically creating a web-based document in a spoken language from a web-base form document in a different spoken language, comprising instructions operable to cause a programmable processor to:

receive the web-base form document, wherein the web-base form document comprises prearranged document template information (col. 5, lines 14-21, col. 6, lines 25-29);

detecting one or more user variables (col. 6, lines 25-29);

dynamically creating the web-based document using one or more user variables, wherein the web-based document is generated from the web-based form document according to the prearranged document template information (col. 5, lines 14-21, col. 6, lines 25-29, lines 40-44).

D'Arlach fails to teach the limitation further including the document in a default spoken language, automatically detecting a default spoken language for the document, and user variables indicating a desired spoken language.

However, Kobayakawa teaches data processing systems, methods and computer program products for translating documents written in foreign languages (see abstract). Kobayakawa teaches the use of a user choosing a translation environment and foreign and native languages for translation (col. 6, lines 35-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to use a document in a default

spoken language, automatically detecting a default spoken language for the document, and user variables indicating a desired spoken language. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

3.   Claims 5, 22, 33, 34, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach and Kobayakawa further in view of Evans, III, U.S. Patent No. 5,732,231.

D'Arlach teaches the invention substantially as claimed including creating and maintaining a Web site in client-server network environments (see abstract). Kobayakawa teaches the invention substantially as claimed including data processing systems, methods and computer program products for translating documents written in foreign languages (see abstract).

As to claims 5, 22, and 37, D'Arlach and Kobayakawa teach the method of claims 8, 19, and 36.

D'Arlach and Kobayakawa fail to teach the limitation further including the user web document and the prearranged web document both relating to the funeral industry.

However, Evans teaches a monitoring apparatus for providing information concerning the life of a deceased to visitors to a funeral home (see abstract). Evans teaches the use of a PC and a display for the retrieval of information of a deceased individual (col. 2, lines 13-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach and Kobayakawa in view of Evans to use a user web document and the prearranged web document both relating to the funeral industry. One would be motivated to do so because it allows an efficient way to develop personalized web documents regarding a deceased.

As to claim 33, D'Arlach, Kobayakawa, and Evans teach the system of claim 30 wherein said user variables are in a first language and said user web document is generated in a second language (col. 6, lines 35-48, Kobayakawa).

As to claim 34, D'Arlach, Kobayakawa, and Evans teach the system of claim 33, wherein said first and second languages are spoken languages (col. 6, lines 35-48).

Regarding claim 38, D'Arlach, Kobayakawa, and Evans teach the product of claim 37, wherein the product is configured to allow a user to create a web-based document comprising information for a deceased person in the desired spoken language (col. 6, lines 35-48).

Regarding claim 39, D'Arlach, Kobayakawa, and Evans teach the product of claim 38, wherein when the web-based form document is change, automatically updating the created web-based document (col. 7, lines 25-40, D'Arlach discloses automatic updates after changes).

4.   Claim 30 rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach in

view of Kobayakawa et al., U.S. Patent No. 6,119,078, further in view of Evans, III, U.S.

Patent No. 5,732,231.

D'Arlach teaches the invention substantially as claimed including creating and

maintaining a Web site in client-server network environments (see abstract).

As to claim 30, D'Arlach teaches a system that automatically generates a web

document in real time comprising:

a database with preprogrammed information (col. 5, lines 1-3);

a form document (col. 6, lines 25-29);

user variables wherein said user variables are selected from said

preprogrammed information using said form document (col. 6, lines 2-29); and

a user web document that is capable of being displayed on a computer using a

web browser, wherein said user web document is automatically generated based on

said desired user variables (col. 6, lines 40-44),

D'Arlach fails to teach the limitation further including selecting a desired spoken

language from a choice of languages for said form document, and said user web

document is automatically generated in real time in said desired spoken language,

wherein said user web document relates to the funeral industry.

However, Kobayakawa teaches data processing systems, methods and

computer program products for translating documents written in foreign languages (see

abstract). Kobayakawa teaches the use of a user choosing a translation environment, automatic translation, and foreign and native languages (col. 6, lines 35-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach in view of Kobayakawa to select a desired spoken language from a choice of languages for said form document, and said user web document is automatically generated in real time in said desired spoken language. One would be motivated to do so because it allows for users with different native languages to view the same web document in their language.

D'Arlach and Kobayakawa fail to teach the limitation further including the user web document relating to the funeral industry.

However, Evans teaches a monitoring apparatus for providing information concerning the life of a deceased to visitors to a funeral home (see abstract). Evans teaches the use of a PC and a display for the retrieval of information of a deceased individual (col. 2, lines 13-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach and Kobayakawa in view of Evans to use a user web document and the prearranged web document both relating to the funeral industry. One would be motivated to do so because it allows an efficient way to develop personalized web documents regarding a deceased.

5.   Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach and Kobayakawa further in view of Dan et al., U.S. Patent No. 6,560,639.

D'Arlach teaches the invention substantially as claimed including creating and maintaining a Web site in client-server network environments (see abstract). Evans teaches the invention substantially as claimed including a monitoring apparatus for providing information concerning the life of a deceased to visitors to a funeral home (see abstract).

As to claim 24, D'Arlach and Kobayakawa teach the method of claim 19.

D'Arlach and Kobayakawa fail to teach the limitation further including the step of automatically generating a user web document comprising automatically generating a user web document using computer software programmed in PHP.

However, Dan teaches a method and system for integrating site architecture, navigation, design, and management (see abstract). Dan teaches the use of a web page made in PHP (col. 27, lines 60-63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify D'Arlach and Kobayakawa in view of Dan to use a PHP web document. One would be motivated to do so because PHP is a known and efficient format for web document programming.

Response to Arguments

6.   Applicant's arguments filed March 4, 2005 have been fully considered but they are not persuasive.

7.   Regarding the argument to claims 8, 19, and 30, the applicant argues that the reference, Kobayakawa, does not disclose the dynamic generation of a web document

and that the translation of a web page is actually just a link for a similar web page. The

examiner disagrees, as seen in, column 3, lines 32-37, there is the translation and

dynamic generation of one web page to another. This is also disclosed more thoroughly

in the above rejection.

8.   In response to applicant's argument that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re

Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the knowledge is

generally available to one of ordinary skill in the art.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

    U.S. Pat. No. 6,260,039 to Schneck et al.

    U.S. Pat. No. 6,292,772 to Kantrowitz

    U.S. Pat. No. 6,340,978 to Mindrum

    U.S. Pat. No. 6,490,547 to Atkin et al.

    U.S. Pat. No. 6,609,150 to Lee et al.

    U.S. Pat. No. 5,784,562 to Diener

    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the
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published applications may be obtained from either Private PAIR or Public PAIR.
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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG

/SALEH NAJJAR
PRIMARY EXAMINER/